IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 10539 of 2005

Between:

Chintapalli Kotaiah, S/o. Ramaswamy,
Konnuru Village, Atchampet Mandal, Guntur District.

..... PETITIONER

AND

1 The Station House Officer, Sattenapalli Town Police Station, Guntur District.
2 The Superintendent of Police, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an Order, direction, or a Writ, more particularly one in the nature of Writ of Habeas Corpus directing the Respondents herein to produce the brother of the Petitioner herein, Viz., Ch. Srinivasa Rao, RMP, and Mariyadasu @ Murali before this Hon'ble Court, who were illegally taken away by the Police Personnel of Sattenapalli Town Police Station and set them at liberty forthwith and to pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: (FAX MESSAGE)

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following:

ORDER: (per Hon'ble Dr. GYR, J)

The petitioner contended that the detenu by name Ch.Srinivasa Rao was taken away by the Police Personnel of Sattenapalli Town Police Station and kept him in unlawful detention.

The first respondent filed a counter affidavit mentioning that the detenu, Ch.Srinivasa Rao, was arrested in connection with Crime No.12/2005 for the offences punishable under Section 307 of the Indian Penal Code, 1860, under Sections 4 and 5 of the Explosive Substances Act and under Section 8 (1) of the A.P.Public Security Act, at about 2.00 a.m on 01-05-2005, and he was produced before the concerned Court on 02-05-2005 and he was remanded to judicial custody.

In the light of the averments of the counter affidavit filed by the first respondent, no further orders need be passed in this writ petition. Hence, the writ petition is dismissed.

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(GODA RAGHURAM, J)

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(Dr. G.YETHIRAJULU, J)

Dated: 10-05-2005

Vs/ks

To

1 The Station House Officer, Sattempalli Town Police Station, Guntur District.
2 The Superintendent of Police, Guntur District.

3 2 CCs to the Advocate General, High Court buildings, Hyderabad (OUT)

4 2 CD copies